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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,660

Complete if Known

Application Number 09/815,573
Filing Date 03-22-2001
First Named Inventor Hector F. DeLuna
Examiner Name Shaojia A. Jiang
Group Art Unit 1617
Attorney Docket No. 1256-00721

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
Deposit Account Number _____
Deposit Account Name _____

The Commissioner is authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-	X	=
Independent Claims	-	X	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting a publication of SIR prior to Examiner action	
112	1,840*	113	1,840*	Requests publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply with second month	
117	920	217	460	Extension for reply within third month	920
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	740
169	900	169	900	Requests for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1,660

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thomas M. Wozny	Registration No. (Attorney/Agent)	28,992	Telephone	414-271-7590
Signature	Thomas M. Wozny	Date	08-09-2002		



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hector F. DeLuca et al

Application No. 09/815,573

Filed: March 22, 2001

Examiner: Shaojia A. Jiang

Group Art Unit: 1617

INCREASING PHOSPHORUS UPTAKE
FROM THE GUT OF DAIRY COWS BY
SUPPLEMENTING 1 α -
HYDROXYLATED VITAMIN D
COMPOUNDS

) CERTIFICATE OF MAILING
) I hereby certify that this correspondence
) is being deposited with the United States
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) first class mail in an envelope addressed
) to: Commissioner of Patents,
) Washington, D.C. 20231, on this 9th day
) of August, 2002.

) *Dorothy A. Hauser*
) Dorothy A. Hauser August 9, 2002
) Date

#11/C
HND
82802

AMENDMENT

Box: RCE
Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the advisory action in the Patent Office Action dated June 14, 2002, and the final rejection in the Office Action dated February 12, 2002, please enter the following in the above-identified patent application:

IN THE CLAIMS:

Please rewrite claim 1 as follows:



08-12-02

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TECH CENTER 650/2669

Approved for use through 10/30/2000. OMB 0550-0041

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/815,573
Filing Date	March 22, 2001
First Named Inventor	Hector F. DeLuca
Group Art Unit	1617
Examiner Name	Shaojia A. Jiang
Attorney Docket Number	1256-00721

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RTE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief previously filed on _____

iii. Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01.2000

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$740.00)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$920.00)

iii. ☐ Other _____

b. ☒ Check in the amount of \$1,660.00 enclosed.

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/ Type)	Thomas M. Wozny	Registration No. (Attorney/Agent)	28,922
Signature	<i>Thomas M. Wozny</i>	Date	August 9, 2002

CERTIFICATE OF EXPRESS MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as EXPRESS MAIL - POST OFFICE ADDRESSEE, in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this **9th** day of **August, 2000**. The Express Label is **EV097316181US**.

Name (Print/ Type)	Dorothy A. Hauser	Date	August 9, 2002
Signature	<i>Dorothy A. Hauser</i>	Date	August 9, 2002

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08/14/2002 AWONDAF1 00000171 09815573

01 FC:179
02 FC:117740.00 OP
920.00 OP